SPECIAL PROCEDURES SUBMISSION ATTORNEY DOCKET NO: S01364/70033 PCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

LLA

Applicant:

Roy Martin

Serial No:

10/083.284

Confirmation No:

4144

Filed:

February 26, 2002

FAX RECEIVED

For:

FREE RADICAL GENERATOR AND METHOD

DEC 0 8 2004

Examiner:

Frank M. Lawrence, Jr.

Art Unit:

1724

OFFICE OF PETITIONS

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Karen Creasy, at FAX number (571) 273-0025, Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the day of December, 2004.

Mail Stop Petitions

Office of Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

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PART II: Compliance with 37 CFR §1.704(d)

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by the office of the undersigned more than 30 days prior to filing of this Information Disclosure Statement.

PART III: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application:
- 3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

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By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted, Roy Martin, Applicant

By:

Peter C. Lando, Registration No. 34,654 Elias Domingo, Registration No. 52,827

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Date: December 8, 2004

FORM PTO-1449/A and B (Modified)	APPLICATION NO.:	10/083,284	ATTY, DOCKET NO.: S01364/70033	
INFORMATION DISCLOSURE	FILING DATE:	FILING DATE: February 26, 2002 CONFIRMATION NO.: 41		ON NO.: 4144
STATEMENT BY APPLICANT	APPLICANT:	Roy Martin		
Sheet 1 of 1	GROUP ART UNIT:	1724	EXAMINER:	Frank M. Lawrence, Jr.

Examiner's Initials	Citc No.	U.S. Patent Document		Name of Patentee or Applicant of Cited	Date of Publication or of issue
		Number	Kind Code	Document	of Cited Document MM-DD-YYYY
		US2001/0007314	A1	Sherman	07/12/2001
		5,348,665		Schulte et al.	09/20/1994
					FAX RECEIVED
				,	DEC 0 8 2004
					OFFICE OF PETITIONS

FOREIGN PATENT DOCUMENTS Name of Patentee or Applicant of Cited Date of Foreign Patent Document Cite Examiner's Publication of Translation Document Initials No. Office/ Kind Cited Document Number (not necessary) (Y/N) Country Code MM-DD-YYYY GB 2306463 A Triogen Limited 05-07-1997 ΕP 1057784 A1 Peter Willem Appel 12-06-2000

Examiner's Initials	Cite No	OTHER ART — NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Transla (Y/I	
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EXAMINER	DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.